



**STATE OF CONNECTICUT  
JUDICIAL BRANCH**

**EXTERNAL AFFAIRS DIVISION**

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**Testimony of Deborah J. Fuller  
Labor and Public Employees Committee  
February 15, 2011**

**Senate Bill 359, An Act Concerning Employer Notice to Employees Regarding  
Mandatory Overtime**

Senator Prague, Representative Zalaski and members of the Labor and Public Employees Committee, thank you for the opportunity to submit written testimony on *Senate Bill 369, An Act Concerning Employer Notice to Employees Regarding Mandatory Overtime*. The Judicial Branch is opposed to the bill because it would seriously impede the operation of our courts and other facilities. In many cases the Branch cannot know 24 hours in advance if mandatory overtime is necessary.

The operations that would be most severely impacted by this proposal are the five 24/7 facilities that the Judicial Branch operates -- three juvenile detention centers with a total of 210 beds, and two full-time lockup facilities with a combined capacity of over 150 prisoners. The juvenile detention centers are staffed by juvenile detention officers, who are represented by AFSCME; the lockups are staffed by judicial marshals, who are represented by IBPO. The staffing for each facility is determined by the administration based on the level of coverage necessary to ensure the safety and security of the juveniles or prisoners, as the case may be, the public and our employees. Mandatory overtime is a vital tool to ensure that staffing levels are consistently maintained.

Below are examples of situations that might require mandating staff to serve overtime:

- Sick Callouts;
- Unanticipated absences due to illness or injury;
- Unanticipated inclement weather and other emergency situations; and
- When the physical or mental health issues of a juvenile detainee or an arrestee require one-on-one supervision.

In addition to the 24-hour lockup facilities, the Judicial Branch's Judicial Marshal Services Division is responsible for courthouse security, prisoner transportation and operating lockups in 45 courthouses. This proposal would negatively impact the safety and security of our courts. There are times when mandating overtime is necessary to ensure adequate judicial marshal staffing. In order to fill the gaps created by unexpected absences, our first step is to ask staff to volunteer for overtime, but there are times when mandatory overtime is necessary.

The Judicial Branch makes very effort to fulfill our overtime needs with staff who have volunteered to work unscheduled shifts. Mandatory overtime is imposed only when insufficient staff have volunteered. In all cases, the Judicial Branch's implementation of overtime is administered in a manner that is consistent with our collective bargaining agreements.

We urge the Committee not to act favorably on this proposal.